UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,928	03/31/2004	Yasuhito Ambiru	04329.3295	5679

22852 7590 06/07/2007	EXAMINER
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP	AGGARWAL, YOGESH K

901 NEW YORK AVENUE, NW	ART UNIT	PAPER NUMBER
WASHINGTON, DC 20001-4413	2622	

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06/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/812,928	AMBIRU ET AL.
	Examiner	Art Unit	
	Yogesh K. Aggarwal	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-SB/08)
    Paper No(s)/Mail Date *04/11/2006, 03/31/2004*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-6 and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Dolt et al. (US PG-PUB # 20030189663) in view of Hirasawa (US Patent # 6,980,233).

[Claim 1]

Dolt teaches an image pickup section (image sensor 2, figure 1) which picks up an image and

outputs image information (Paragraphs 5 and 27); a determining section (brightness control unit

implemented in micro-controller 8) which makes a determination whether to execute a pixel

addition process for the image information from the image pickup section in accordance with a

result of optical measurement executed from the image information (Paragraphs 28-30, the

specification of present application describes optical measurement execution as, if the detection

signal outputted from lens 11 having a predetermined value or less which is equivalent to the

teachings of Dolt); a pixel addition section (pixel addition logic 10) which executes the pixel

addition process for the image information received from the image pickup section when the

determining section makes a determination for execution of the pixel addition process (Paragraph

30).

        Dolt fails to teach a transmitting section which transmits to the outside the image

information to which the pixel addition section has executed pixel addition process.

However Hirasawa teaches a transmitting section (Interface 2627, figure 20) that transmits the image to a personal computer 103 after the image has been processed in the digital signal processor of the camera 2600.

Therefore taking the combined teachings of Dolt and Hirasawa, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have a transmitting section which transmits to the outside the image information as taught in Hirasawa to be used in the system of Dolt after the image has been subjected to pixel addition and recorded in order to adjust and change the setting of a photographing control information from an external device thereby eliminating the need for storing a large amount of information in the camera as taught in Hirasawa (col. 24 lines 30-34, col. 25 lines 35-47).

[Claim 2]

Dolt teaches wherein the determining section automatically makes the determination without receiving an instructing operation each time from a user (Paragraph 30).

[Claims 3 and 4]

Dolt teaches wherein the determining section makes a determination in accordance with the result of the optical measurement executed from the image information whether to execute gain control and shutter speed control of the image information received from the image pickup section (Paragraphs 29, 30 and 31) and further makes a determination whether to execute the pixel addition process for the image information after execution of the gain control and shutter speed control (Paragraph 33 teaches that one may set a sequence of steps for the modes M1 to M4 and M3 {gain control mode} may be switched before M1 {pixel addition}).

[Claims 5 and 6]

Dolt teaches wherein the pixel addition process performs an addition of the image information

regarding both an X direction of the image information and a Y direction thereof (Paragraph 15).

[Claims 11-16]

These are method claims corresponding to apparatus claims 1-6 respectively and are therefore

analyzed and rejected based upon apparatus claims 1-6.

3.   Claims 7, 8, 10, 17, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Dolt et al. (US PG-PUB # 20030189663), Hirasawa (US Patent # 6,980,233) and in further

view of Fujisawa et al. (US PG-PUB # 2003/0145056).

[Claims 7 and 8]

Dolt in view of Hirasawa teaches all the limitations of claim 1. Furthermore, Hirasawa teaches a

PC 103 that is connected to a camera 2600 (figure 20). A screen 2401 is displayed on the screen

of the monitor of PC 103. The screen displays an image 2409 and a shutter speed adjustment tab

and shutter speed display 2406 (col. 23 lines 35-57, figures 27 and 28). The operator moves any

of the tabs shown with a mouse or the like to change the standard setting state in accordance with

a personal preference (col. 23 lines 58-63). After the photographing conditions are set the PC

103 stores and transfers the above described various setting values to the video camera 2600 (col.

24 lines 21-30).

Hirasawa fails to teach a browser application being displayed on the external device.

However Fujisawa et al. teaches a CCD image pickup device that is readily attached or

connected to personal computers so that the latter can load image data representative of images

picked up by the image pickup device. The loading of image data into the personal computer is

made possible by installing into the PC suitable application software for loading picked-up

images as image files wherein the functionality involves handling such application software as an external application program for loading picked-up image files in concert with contents data, whereby picked-up images are loaded into the PC through the browser window 300 (Paragraph 151).

Therefore taking the combined teachings of Dolt, Hirasawa and Fujisawa, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have a browser application being displayed on the external device in order to have the images picked up by the camera and displayed on the browser application on the external device in real time that can be shared by multiple clients (Paragraph 151) thereby enabling a remote control of the camera in real time.

[Claim 10]

Dolt in view of Hirasawa teaches all the limitations of claim 1. Furthermore, Hirasawa teaches an image processing section which generates a signal for displaying the type of a current process being executed to tune a light quantity of the image information (col. 24 lines 15-20).

Hirasawa fails to teach a browser application being displayed on the external device. However Fujisawa et al. teaches a CCD image pickup device that is readily attached or connected to personal computers so that the latter can load image data representative of images picked up by the image pickup device. The loading of image data into the personal computer is made possible by installing into the PC suitable application software for loading picked-up images as image files wherein the functionality involves handling such application software as an external application program for loading picked-up image files in concert with contents data, whereby picked-up images are loaded into the PC through the browser window 300.

Therefore taking the combined teachings of Dolt, Hirasawa and Fujisawa, it would be

obvious to one skilled in the art at the time of the invention to have been motivated to have a

browser application being displayed on the external device in order to have the images picked

up by the camera and displayed on the browser application on the external device in real time

that can be shared by multiple clients (Paragraph 151) thereby enabling a remote control of the

camera in real time.

[Claims 17, 18 and 20]

These are method claims corresponding to apparatus claims 7, 8 and 10 respectively and is

therefore analyzed and rejected based upon apparatus claims 7, 8 and 10.

4.   Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolt et

al. (US PG-PUB # 20030189663), Hirasawa (US Patent # 6,980,233) and in further view of

Schowtka et al. (US Patent # 6,993,209).

[Claim 9]

Dolt in view of Hirasawa fail to teach further comprising an image processing section which

generates a signal for a set screen which is used to set the level of the pixel addition process of

the image information and which is displayed in a browser application displayed in an external

device connected via the transmitting section.

However Schowtka teaches that an image is manipulated at the client connected to the

server within the browser on the display. The number of pixels to be added or deleted from an

image displayed on the monitor to calculate the spacing between characters could be calculated

(col. 8 lines 30-48).

Therefore taking the combined teachings of Dolt and Schowtka, it would be obvious to

one skilled in the art at the time of the invention to have been motivated to have to set the level

of the pixel addition process of the image information and which is displayed in a browser

application displayed in an external device connected via the transmitting section in order to

process the image remotely using the world-wide-web in a low resolution format thereby

reducing the load on the processing section.

[Claim 19]

This is a method claim corresponding to apparatus claim 9 and is therefore analyzed and rejected

based upon apparatus claim 9.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Yogesh K. Aggarwal whose telephone number is (571) 272-7360.

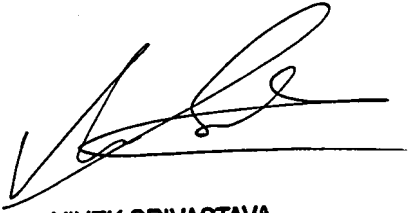The examiner can normally be reached on M-F 9:00AM-5:30PM.

5.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vivek Srivastava can be reached on (571)-272-7304. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

6.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YKA
May 25, 2007

                                                          VIVEK SRIVASTAVA
                                                  SUPERVISORY PATENT EXAMINER
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